

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

Suzanne Carey,

Plaintiff,

v.

International Union of Operating Engineers  
(IUOE) Local 612; Ernie Evans; Ed Taylor,

Defendants.

No. 12-cv-5025 RBL

ORDER

[Dkt. #21]

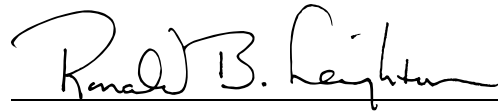
Ms. Carey has moved to re-open her case and have it reassigned. The Court will treat the motion as one for recusal. Under 28 U.S.C. § 144 and 28 U.S.C. § 455, recusal of a federal judge is appropriate if a reasonable person with knowledge of all the facts would conclude that the judge's impartiality might reasonably be questioned. *Yagman v. Republic Insurance*, 987 F.2d 622, 626 (9th Cir. 1993). "In the absence of specific allegations of personal bias, prejudice, or interest, neither prior adverse rulings of a judge nor his participation in a related or prior proceeding is sufficient" to establish bias. *Davis v. Fendler*, 650 F.2d 1154, 1163 (9th Cir. 1981); *see also Liteky v. United States*, 510 U.S. 540, 555 (1994) ("judicial rulings alone almost never constitute valid basis for a bias or partiality motion.").

Ms. Carey's attempt to re-litigate the same case that she has been repeatedly filing for eight years was dismissed under *res judicata*. (See Order, Dkt. #17.) Her filings are rambling

1 and semi-coherent at best. But despite those obstacles, the Court has made ample efforts to  
2 discern her complaints and is unable to find any grounds for recusal. It is clear that Ms. Carey  
3 simply does not like the outcome mandated by law.

4 As such, the motion (Dkt. #21) is **DENIED**. The Court will refer the motion to Chief  
5 Judge Pechman pursuant to GR 8(c).  
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7 Dated this 23rd day of July 2012.

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10 Ronald B. Leighton  
11 United States District Judge  
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